UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1995/251
31 March 1995

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS IRAQ-KUWAIT OBSERVATION MISSION

(for the period 1 October 1994-31 March 1995)

I. INTRODUCTION

1. By paragraph 5 of its resolution 687 (1991) of 3 April 1991, the Security Council established a demilitarized zone (DMZ) along the Iraq-Kuwait boundary and decided to set up an observer unit with the following tasks: to monitor the Khawr Abd Allah waterway and the DMZ; to deter violations of the boundary through its presence in and surveillance of the DMZ; and to observe any potentially hostile action mounted from the territory of one State into the other. By its resolution 689 (1991) of 9 April 1991, the Security Council approved the report of the Secretary-General on the implementation of the above provisions (S/22454). Furthermore, by its resolution 806 (1993), the Council expanded the tasks of the United Nations Iraq-Kuwait Observation Mission (UNIKOM) to include the capacity to take physical action to prevent or redress small-scale violations of the DMZ or the boundary.

2. By its resolution 689 (1991), the Security Council noted that UNIKOM could be terminated only by a decision of the Council and decided to review the question of the termination or continuation as well as the modalities of the Mission every six months. The purpose of the present report is to provide the Security Council, prior to its forthcoming review, with an overview of UNIKOM's activities during the last six months.

II. ORGANIZATIONAL MATTERS

3. Major-General Krishna N. S. Thapa (Nepal) continued as Force Commander. The composition and strength of the Mission is detailed below:

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Military observers

Argentina	7	Malaysia	7
Austria	7	Nigeria	6
Bangladesh	9	Pakistan	7
Canada	5	Poland	6
China	15	Romania	7
Denmark	6	Russian Federation	15
Fiji	6	Senegal	6
Finland	6	Singapore	6
France	15	Sweden	6
Ghana	6	Thailand	6
Greece	7	Turkey	6
Hungary	7	United Kingdom of Great Britain and Northern Ireland	15
India	6	United States of America	15
Indonesia	6	Uruguay	6
Ireland	7	Venezuela	2
Italy	6		
Kenya	7	Total	244

Infantry battalion (Bangladesh)	775
Support units	
Engineers (Argentina)	50
Logistic unit (Denmark)	44
Total	94
Total, military personnel	1 113
Civilian personnel	
International staff	81
Locally recruited staff	133
Total, civilian personnel	214

4. On 31 December 1994, the Government of Switzerland discontinued its voluntary contribution of two fixed-wing aircraft. UNIKOM's air assets now consist of two chartered helicopters and one chartered fixed-wing aircraft.

5. The Governments of Austria and Bangladesh withdrew their medical units at the end of February 1995. It has been difficult to obtain a replacement and, as a provisional measure, a small medical team has been contracted locally.

6. UNIKOM's headquarters remains in Umm Qasr. It also maintains liaison offices in Baghdad and Kuwait City. Its logistic base in Doha was moved at the end of January 1995 to a support centre in Kuwait City.

III. FINANCIAL ASPECTS

7. The General Assembly, by its resolution 48/242 of 5 April 1994, authorized me to enter into commitments up to the amount of $5.5 million gross ($5,312,800 net) per month, for the maintenance of UNIKOM for the period from 1 November 1994 to 31 March 1995, subject to the review by the Security Council of the mandate of the Mission and to the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions. This amount is inclusive of the two-thirds share to be met through voluntary contributions from the Government of Kuwait. On 11 November 1994, the Advisory Committee concurred in my entering into commitments of up to $27,400,700 gross ($26,333,700 net) for the maintenance of UNIKOM for the same period. One third of the amount authorized for this period has been assessed on Member States and two thirds has been received as a voluntary contribution from the Government of Kuwait.

8. It is estimated that the total cost of maintaining UNIKOM for the period from 1 November 1994 to 30 June 1995 will amount to $43,718,300 gross ($41,997,500 net). For the period from 1 July 1995 to 30 June 1996, the total cost is estimated at $63,912,000 gross ($61,298,000 net).

9. As at 22 March 1995, unpaid assessed contributions to the Special Account for UNIKOM for the period since the inception of the Mission amounted to $27,882,900. The total unpaid assessed contributions for all peace-keeping operations amounted to $1.7 billion.

IV. CONCEPT OF OPERATIONS

10. For operational purposes, the DMZ remains divided into three sectors (North, Central and South), as shown on the attached map. UNIKOM's concept of operations has been based on surveillance, control, investigation and liaison. Surveillance of the DMZ is based on patrol and observation bases, ground and air patrols and observation points. Control operations include static checkpoints, random checks and maintenance of a force mobile reserve. Investigation teams are maintained at the level of both sector and UNIKOM headquarters, and continuous liaison is carried out at all levels.

11. The military observers perform UNIKOM's main patrol, observation, investigation and liaison activities. The infantry battalion carries out armed patrols, operates checkpoints and provides security for UNIKOM's easternmost position on the shore of the Khawr Abd Allah. The battalion forms UNIKOM's reserve. Its main camp is located south of Umm Qasr, with a company camp at Al-Abdaly and one platoon camp each located in Sectors Central and South.

V. SITUATION IN THE DMZ

12. The overall situation in the DMZ remained generally calm, although there was a period of tension in October 1994 in connection with reports about the deployment of Iraqi troops north of the DMZ. There was only a limited number of incidents and violations of the DMZ. These involved mainly overflights by military aircraft and the carrying or firing of weapons other than sidearms. Two civilians, one on each side of the border, lost their lives in shooting incidents. UNIKOM investigated all ground violations and communicated its findings to the parties. It also investigated a total of eight written complaints, four each from Iraq and Kuwait.

13. An incident occurred on the night of 28/29 December 1994 when a UNIKOM patrol vehicle came under automatic fire on the Kuwaiti side of the DMZ, just south of the border near the Al-Abdaly crossing-point. About 50 rounds were fired from a range of about 50 to 100 metres. The vehicle was struck by six rounds. One military observer was wounded in the leg by two bullets. UNIKOM carried out an extensive investigation but has been unable to determine who carried out the attack.

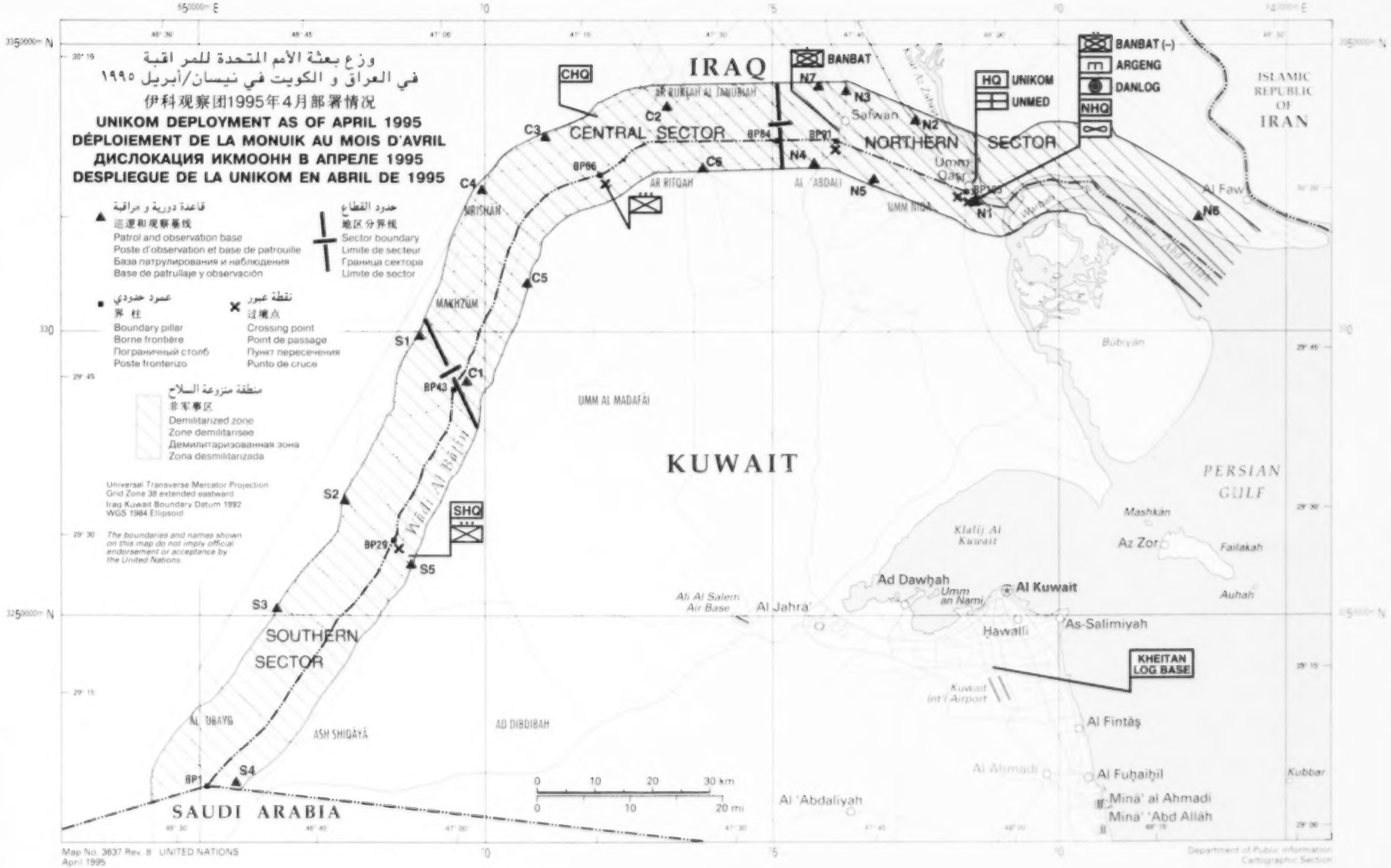
14. On 13 March 1995 two United States citizens mistakenly crossed the border from Kuwait into Iraq, where they were apprehended by the Iraqi police. On their way to the border they crossed a Kuwaiti checkpoint at the edge of the DMZ, as well as a UNIKOM checkpoint at the border, which is marked by a berm and trench constructed by the Kuwaiti authorities. They were allowed to pass the UNIKOM checkpoint because, with darkness having just fallen, the sentries on duty mistook the white vehicle for one belonging to the United Nations. The procedures at the checkpoint have since been tightened. Efforts are being made by the United Nations to have the two men released.

15. UNIKOM continued to provide administrative and logistic support for other United Nations agencies in Iraq and Kuwait.

VI. OBSERVATIONS

16. During the period under review, calm has generally prevailed along the border and in the demilitarized zone between Iraq and Kuwait. UNIKOM maintained a high level of vigilance and, through its patrols and liaison activities, has significantly contributed to the reduction of tension and the maintenance of calm in its area of operation. In the performance of its functions, UNIKOM has enjoyed the effective cooperation of the Iraqi and Kuwaiti authorities. I recommend that the Mission be maintained.

17. In conclusion, I wish to pay tribute to Major-General Thapa and the men and women under his command for the manner in which they have discharged their responsibilities. Their discipline and bearing have been of a high order, reflecting credit on themselves, on their countries and on the United Nations.


وزع بعثة الأمم المتحدة للمراقبة
في العراق و الكويت في نيسان/أبريل ١٩٩٥
伊科观察团1995年4月部署情况
UNIKOM DEPLOYMENT AS OF APRIL 1995
DÉPLOIEMENT DE LA MONUIK AU MOIS D'AVRIL
ДИСЛОКАЦИЯ ИКМООНН В АПРЕЛЕ 1995
DESPLIEGUE DE LA UNIKOM EN ABRIL DE 1995
قاعدة دورية و مراقبة
巡逻和观察基线
Patrol and observation base
Poste d'observation et base de patrouille
База патрулирования и наблюдения
Base de patrullaje y observación
حدود القطاع
地区分界线
Sector boundary
Limite de secteur
Граница сектора
Límite de sector
عمود حدودي
界 柱
Boundary pillar
Borne frontière
Пограничный столб
Poste fronterizo
نقطة عبور
过境点
Crossing point
Point de passage
Пункт пересечения
Punto de cruce
منطقة منزوعة السلاح
非军事区
Demilitarized zone
Zone demilitarisee
Демилитаризованная зона
Zona desmilitarizada
Universal Transverse Mercator Projection
Grid Zone 38 extended eastward
Iraq Kuwait Boundary Datum 1992
WGS 1984 Ellipsoid
The boundaries and names shown on this map do not imply official endorsement or acceptance by the United Nations.
IRAQ
KUWAIT
SAUDI ARABIA
ISLAMIC REPUBLIC OF IRAN
PERSIAN GULF
CHQ
SHQ
HQ UNIKOM
UNMED
BANBAT
BANBAT (–)
ARGENG
DANLOG
NHQ
KHEITAN LOG BASE
CENTRAL SECTOR
NORTHERN SECTOR
SOUTHERN SECTOR
C1
C2
C3
C4
C5
C6
N1
N2
N3
N4
N5
N6
N7
S1
S2
S3
S4
S5
BP1
BP29
BP43
BP84
BP86
BP101
BP106
AR RUKHAH AL TANUMAH
AR RITQAH
AL 'ABDALI
UMM NIGA
Safwan
Umm Qasr
Al Faw
MAKHZUM
KRISHAN
Wadi Al Batin
UMM AL MADAFAI
Bubiyan
Khalij Al Kuwait
Mashkan
Az Zor
Failakah
Ad Dawhah
Umm an Nami
Al Kuwait
Auhah
Ali Al Salem Air Base
Al Jahra'
Hawalli
As-Salimiyah
Kuwait Int'l Airport
Al Fintās
Al Ahmadi
Al Fuhaihil
Kubbar
Mina' al Ahmadi
Mina' 'Abd Allah
Al 'Abdaliyah
AL UBAYD
ASH SHIQAYA
AD DIBDIBAH
0 10 20 30 km
0 10 20 mi
Map No. 3637 Rev. 8 UNITED NATIONS
April 1995
Department of Public Information
Cartographic Section

UNITED
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General Assembly
Security Council

Distr.
GENERAL

A/50/98
S/1995/252
31 March 1995
ENGLISH
ORIGINAL: SPANISH

GENERAL ASSEMBLY
Fiftieth session
Items 39 and 98 (c) of the
preliminary list*
LAW OF THE SEA
SUSTAINABLE USE AND CONSERVATION OF
THE MARINE LIVING RESOURCES OF
THE HIGH SEAS

SECURITY COUNCIL
Fiftieth year

Letter dated 31 March 1995 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to inform you that in recent weeks situations of tension have occurred on the high seas in the north-west Atlantic between fishing vessels flying the Spanish flag and Canadian patrol boats, and that these have involved the use of force on the part of the latter.

In particular, I wish to refer to the fact that on 9 March 1995 the fishing vessel Estai, flying the Spanish flag, was arrested in international waters by Canadian patrol boats using armed force. Both the fishing boat and the crew were taken to the port of St. John's, where they were detained until their subsequent release on bail. It should be emphasized that when paying the bail, the owner of the detained vessel made an explicit statement of non-recognition of the jurisdiction of the Canadian courts.

Subsequent to these incidents, various acts of harassment by Canadian patrol boats of Spanish fishing vessels operating on the high seas have taken place, including a serious incident on 26 March in which the nets of the Spanish fishing vessel Pescamar 1 were deliberately cut by a Canadian patrol boat.

These actions, which constitute a flagrant violation by Canada of international law and of the Charter of the United Nations, have caused serious harm to Spanish citizens and in some cases have endangered their lives and

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* A/50/50.

physical integrity, a situation to which the Spanish Government has reacted by immediately making the relevant protests through the diplomatic channel, while fully reserving its rights and its claim to the corresponding compensation for the damage and injury sustained.

As an additional means of defending its nationals, the Spanish Government has decided to send two units of the Spanish Navy to the area where the incidents took place to protect Spanish vessels engaging in their activities under the protection of the principle of freedom of the high seas and in conformity with the applicable regulations established by the competent international organizations.

In addition, as part of the Spanish Government's firm intention to resolve international disputes by peaceful means in accordance with the provisions of the Charter of the United Nations, on 28 March 1995 Spain filed the relevant complaint against Canada with the International Court of Justice, seeking its ruling and the restoration of the rights violated.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under items 39 and 98 (c) of the preliminary list, and of the Security Council.

(Signed) Juan A. YAÑEZ-BARNUEVO

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Security Council

Distr.
GENERAL

S/1995/253
31 March 1995

ORIGINAL: ENGLISH

LETTER DATED 31 MARCH 1995 FROM THE PERMANENT REPRESENTATIVE OF GREECE TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

With reference to the paragraphs on the situation in the former Yugoslav Republic of Macedonia contained in your report submitted pursuant to Security Council resolution 947 (1994) (S/1995/222), I would kindly request that the letter which I addressed to you on 27 March 1995, a copy of which is attached for your convenience, be circulated as a document of the Security Council.

(Signed) Christos G. ZACHARAKIS
Permanent Representative

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Annex

Letter dated 27 March 1995 from the Permanent Representative of Greece addressed to the Secretary-General

With reference to the paragraphs on the situation in the former Yugoslav Republic of Macedonia contained in your report submitted pursuant to Security Council resolution 947 (1994) (S/1995/222), I would like to refer to my letter dated 21 September 1994 (S/1994/1089) addressed to you in which I pointed out that the use of the term "economic blockade imposed by Greece" was not appropriate when referring to my Government's countermeasures in response to a long series of provocations by Skopje, all of which have been duly and timely brought to your attention.

In that letter, I underlined the adverse and painful effects that my Government's decision has had on the Greek economy itself, at a time when the latter is already suffering from the continuation of economic sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro). I also stressed that Greece was unfortunately left with no other choice, in view of the intransigent stance adopted by the Government of Skopje.

In the light of the above, I was surprised to note that, in your latest report, you referred not only to the "economic blockade imposed by Greece" (para. 81), but also to the "trade embargo imposed by Greece" (para. 43), a term which is, in my view, equally inappropriate. The continued use of those terms could mislead both the members of the Security Council and, in general, the States Members of the United Nations, since it certainly does not give the full picture, in particular with regard to the long series of provocative actions taken by the Government of Skopje that preceded my Government's response.

While reiterating this important position of principle, and requesting that you kindly take it into consideration in the future, I would like to assure you, once again, of Greece's commitment to the efforts aiming at finding a fair and forward-looking solution to the issue of our differences with the former Yugoslav Republic of Macedonia, which would be not only to the mutual benefit of the two countries concerned, but also in the interest of peace and stability in the area. This sincere wish was recently proved by my Government's prompt and positive response to Mr. Cyrus Vance's invitation for the resumption, in early April, of negotiations between the parties under his auspices, pursuant to Security Council resolution 845 (1993).

(Signed) Christos G. ZACHARAKIS
Permanent Representative

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Security Council

Distr.
GENERAL

S/1995/254
31 March 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 31 MARCH 1995 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 28 March 1995 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, concerning the acts of aggression against Iraq and the violations of its territorial integrity that have been committed since March 1991.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

95-09468 (E) 030495 030495 040495

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Annex

Letter dated 28 March 1995 from the Minister for Foreign Affairs of Iraq addressed to the President of the Security Council

I should like to begin by pointing out that in the preamble to its resolution 687 (1991) the Security Council affirms the commitment of all Member States to the sovereignty, territorial integrity and political independence of Iraq. There can be no doubt that for Iraq, as a founder Member of the United Nations and like other Member States, sovereignty, territorial integrity and political independence are based on the provisions of the Charter of the United Nations and on such basic principles of international law as the sovereign equality of States and the obligation to refrain from the threat or use of force against the territorial integrity or political independence of any other State or in any other manner incompatible with the purposes of the United Nations.

Despite all of these provisions, however, and despite the stipulations of resolution 687 (1991), ever since March 1991 Iraq has been the object of acts of aggression and of grave violations of its sovereignty, territorial integrity and political independence. These grave violations have been committed by States Members of the United Nations, some of them Iraq's neighbours and some of them States permanent members of the Security Council, in particular the United States of America and the United Kingdom. So that the picture will be clear to you and to the other members of the Council, we present the following facts:

1. Since March 1991, Iran has committed 1,040 violations or acts of aggression. The Iraqi Ministry of Foreign Affairs has kept the United Nations informed of all these violations in letters and official notes.

2. Between 1991 and March 1995 Turkey committed 56 violations. Iraq has protested against these violations in official notes addressed to the Turkish authorities. The most recent of these Turkish violations of Iraq's sovereignty is still under way, and large numbers of heavily armed Turkish troops are now inside Iraqi territory in northern Iraq on the pretext that they are in hot pursuit of an armed Turkish group opposed to the Turkish regime.

3. Since 1991 the United States of America and the United Kingdom have been engaged in ongoing aggression against Iraq that threatens the country's sovereignty, territorial integrity and political independence. They are using their military power to impose no-fly zones that exclude Iraqi aircraft of all types from northern and southern Iraq. This illegal and unlawful measure continues to represent a grave violation and a direct threat to the security of Iraq and to its sovereignty and territorial integrity.

Between 9 May 1991 and 16 March 1995, in northern Iraq alone, United States and British military aircraft violated Iraqi airspace 36,362 times for purposes of aggression, provocation and espionage. In southern Iraq the number of such violations has been even greater, and the United Nations has been notified of all of them in official letters from Iraq.

Despite its powers under the Charter, the Security Council has taken no action and adopted no resolutions to address or prevent, as it is required to do by the provisions of the Charter and the norms of international law, the repetition of these flagrant and serious violations of Iraq's sovereignty, security and territorial integrity. The flagrant violation of Iraq's sovereignty and the grave threat posed to its security and territorial integrity constitute an alarming failure on the part of the Security Council not only to maintain international peace and security, which is its function, but also to implement the provisions of its own resolutions and primarily resolution 687 (1991), which affirms commitment to Iraq's sovereignty.

Iraq is exposed to real dangers because of this anomalous situation, particularly when the Security Council remains heedless of the actions taken against Iraq by neighbouring States and when two permanent members of the Council are involved in violating Iraq's sovereignty and in greatly jeopardizing its territorial integrity. This alarming situation represents a unique case in Iraq's modern history, inasmuch as violations of its sovereignty and territorial integrity are being repeated with unparalleled contempt for the Charter of the United Nations and in a climate where there is complete silence from the Security Council.

The foregoing clearly shows the retreat from justice and law in international relations and the growth of opportunism in the conduct of certain Member States. The situation has been reached where countries use their armies to violate the sovereignty of other countries on the pretext of being in pursuit of elements that oppose them abroad, an example being the action taken by Turkey in northern Iraq, or where the Governments of certain States impose their own interpretation of Security Council resolutions in order to accord with their own political objectives, an example being the illegal and unlawful measures being taken by the Governments of the United States of America and the United Kingdom in imposing no-fly zones in northern and southern Iraq. We wonder, and the whole world wonders with us, whether this strange phenomenon has become a substitute for the provisions of the Charter and whether it has become acceptable conduct in relations between States.

In presenting you with these facts and questions, I call your attention and that of the other members of the Security Council to the serious violations committed against my country and to the silence of the Security Council in their regard. The Council has the duty to meet its responsibilities under the Charter of the United Nations in such a way as to ensure the preservation of the sovereignty, security and territorial integrity of Member States.

I am transmitting to you herewith lists of the violations to which reference is made in this letter (enclosures I and II).

In closing, I request you to have this letter circulated as a document of the Security Council and to bring it to the attention of Council members.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs of the
Republic of Iraq

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Enclosure I

Protests addressed to the Embassy of the Islamic Republic of Iran in Baghdad concerning Iranian violations committed in 1994 and 1995

No.	Date of violation	Note No.	Date	Type of violation
1	12/1/94	23/1/8/126031	26/1/94	Violations by an aircraft at Kuwaysanjaq
2	18/1/94	23/1/8/126031	26/1/94	Entry of a force into Sulaymaniyah
3	11/3/94	23/1/8/126091	18/3/94	Bombardment of the Wadi Kadiri area, Raniyah district
4	12/3/94	23/1/8/126096	20/3/94	Bombardment of villages in the Qal'at Dizah area
5	9/3/94	23/1/8/126001	7/4/94	Overflight of Naft Khanah station by a helicopter
6	30-31/3/94	23/1/8/126109	7/4/94	Seizure of a boat with fishermen
7	8/1/94	23/1/8/126018	19/1/94	Overflight of Kuwaysanjaq by several aircraft
8	13-14/4/94	23/1/8/126129	24/4/94	Bombardment of villages to the north of Penjwin and Hajj Umran
9	13/4/94	23/1/8/126128	24/4/94	Seizure of fishermen and their boat
10	17/4/94	23/1/8/126135	2/5/94	Bombardment of a wadi to the east of Qal'at Dizah
11	24/4/94	23/1/8/126146	9/5/94	Artillery bombardment of Penjwin township
12	28/4/94	23/1/8/126146	9/5/94	Bombardment of areas to the east of Qal'at Dizah
13	23/5/94	23/1/8/126186	9/6/94	Interception of a Russian ship and a tug
14	21/4/94	23/1/8/126148	11/5/94	Interception of the UAE tug Shayma' II
15	25/4/94	23/1/8/126154	14/5/94	Interception of a tanker
16	5/94	23/1/8/126159	18/5/94	Dispatch of provocative patrols and harassment and seizure of boats
17	8/5/94	23/1/8/126160	19/5/94	Interception of the tanker Al-Fida'
18	29/3/94	23/1/8/126157	18/5/94	Interception of the UAE tug Shayma' II
19	31/3/94	23/1/8/126157	18/5/94	Interception of the Indian launch Nasrat
20	5/4/94	23/1/8/126157	18/5/94	Interception of a tug in the Shatt al-Arab
21	13/4/94	23/1/8/126157	18/5/94	Interception of a ship
22	13/4/94	23/1/8/126157	18/5/94	Interception of a tug
23	14/4/94	23/1/8/126157	18/5/94	Interception of a ship
24	15/4/94	23/1/8/126157	18/5/94	Interception of pilot cutter 806
25	16/4/94	23/1/8/126157	18/5/94	Interception of a tug
26	8/5/94	23/1/8/126160	19/5/94	Aggression against the ship Al-Fida'
27	8/5/94	23/1/8/126160	19/5/94	Aggression against the ship Al-Fida'
28	13/5/94	23/1/8/126160	19/5/94	Aggression against the ship Al-Fida'
29	13/5/94	23/1/8/126167	28/5/94	Fresh interception of the ship Al-Fida'
30	14/5/94	23/1/8/126167	28/5/94	Interception of the same ship

No.	Date of violation	Note No.	Date	Type of violation
31	5/5/94	23/1/8/126172	30/5/94	Interception of a UAE tug
32	3/5/94	23/1/8/126175	31/5/94	Interception of the Iraqi tanker Anne
33	24/5/94	23/1/8/126175	31/5/94	Interception of a UAE tug
34	5/5/94	23/1/8/126181	8/6/94	Interception of the tug Al-Mithaq
35	24/6/94	23/1/8/126213	2/7/94	Assault on Iraqi units at Shihabi
36	25/4/94	23/1/8/126213	2/7/94	Provocations at the Mundhiriyah post
37	25/4/94	23/1/8/126226	6/7/94	Provocations at the Mundhiriyah post
38	7/94	23/1/8/126237	20/7/94	Provocations at the Mundhiriyah post
39	7/7/94	23/1/8/126242	24/7/94	Provocations and violations against the ship Chrysalis
40	2/7/94	23/1/8/126244	26/7/94	Interception of the Iraqi pilot cutter
41	21/7/94	23/1/8/126258	1/8/94	Aggression against an Iraqi fishing boat
42	24/7/94	23/1/8/126258	1/8/94	Interception of the tug Al-Warka'
43	8/8/94	23/1/8/126278	17/8/94	Aggression against an Iraqi boat
44	14/8/94	23/1/8/126287	24/8/94	Aggression and provocation against an Iraqi boat
45	10/8/94	23/1/8/126284	22/8/94	Interception of the ship Al-Bakr
46	7/8/94	23/1/8/126303	26/8/94	Interception of an Iraqi Port Authority boat
47	14/8/94	23/1/8/126303	26/8/94	Renewed aggression against the same boat
48	22/8/94	23/1/8/126344	19/9/94	Interception of a fishing boat
49	10/9/94	23/1/8/126328	15/9/94	Interception of the ship Nadiyah
50	10/9/94	23/1/8/126328	15/9/94	Interception of the ship Anne
51	9/9/94	23/1/8/126343	19/9/94	Interception of the foreign ship UUF
52	24/8/94	23/1/8/126345	21/9/94	Interception of the ship Al-Fida'
53	30/8/94	23/1/8/126352	25/9/94	Interception of a research vessel
54	18/7/94	23/1/8/126263	3/8/94	Interception of the tug Al-Jumhuriyah
55	29/6/94	23/1/8/126354	27/9/94	Aggression against the ship Ayman
56	29/6/94	23/1/8/126354	27/9/94	Aggression against the ship Nadir
57	29/6/94	23/1/8/126354	27/9/94	Aggression against the ship Al-Anwar
58	7/8/94	23/1/8/126354	27/9/94	Aggression against the naval navigation boat
59	7/8/94	23/1/8/126354	27/9/94	Aggression against the pilot cutter
60	10/8.94	23/1/8/126354	27/9/94	Aggression against the ship Al-Bakr
61	14/8/94	23/1/8/126354	27/9/94	Aggression against boat No. 4/2
62	15/8/94	23/1/8/126354	27/9/94	Aggression against the pilot cutter
63	15/8/94	23/1/8/126354	27/9/94	Aggression against the pilot cutter

No.	Date of violation	Note No.	Date	Type of violation
64	18/9/94	23/1/8/126353	25/9/94	Detention of the ship Badir
65	19/9/94	23/1/8/126353	25/9/94	Detention of the ship Tarimkan
66	20/9/94	23/1/8/126365	1/10/94	Interception of the Qatari ship Badir
67	20/9/94	23/1/8/126365	1/10/94	Interception of the Qatari ship Taykan
68	16/6/94	23/1/8/126205	25/6/94	Violation of Iraqi airspace by several aircraft
69	2/9/94	23/1/8/126323	8/9/94	Interception of the ship Shayma' II
70	3/9/94	23/1/8/126323	8/9/94	Interception of the tug Al-Mithaq
71	12/10/94	23/1/8/126384	30/10/94	Detention of two Iraqi launches
72	8/11/94	23/1/8/126401	13/11/94	Detention of the tug Nisan 7
73	6/11/94	23/1/8/126391	6/11/94	Military aggression (firing of missiles in the Naft-e Shah area)
74	5/8/94	23/1/8/126277	16/8/94	Interception of a fishing boat
75	29/8/94	23/1/8/126312	31/8/94	Shooting at the Iraqi flag
76	12/9/94	23/1/8/126334	19/9/94	Preventing replacement of the Iraqi flag
77	9/11/94	23/1/8/126399	10/11/94	Aerial bombardment of Kuwaysanjaq and Taqtaq
78	2/4/94	23/1/8/126116	11/4/94	Seizure of an Iraqi boat
79	10/1/95	23/1/8/126040	5/2/95	Seizure of an Iraqi fishing boat
80	11/2/95	23/1/8/126052	14/2/95	Assault on the positions of our units in Hawr al-Hawizah and the Baydah area

Total number of acts of aggression and violations in connection with which a protest was lodged in 1994: 78	Total number of protest notes for 1994: 50
Total number of acts of aggression and violations in connection with which a protest was lodged in 1995: 2	Total number of protest notes for 1995: 2

Enclosure II

Protests addressed to the Embassy of Turkey in Baghdad concerning Turkish violations committed in 1991, 1992, 1993, 1994 and 1995

1. 1991

No.	Date	No.	Reason
1	7 August	7/3/4/1/66322	Infiltration of our territory by military forces
2	14 August	7/3/4/1/66330	Violation of our territory by the army
3	26 August	7/3/4/66372	Violation of our airspace by helicopters
4	26 August	32/2/5/1622	Violation of our airspace by aircraft, and bombing of various targets
5	27 August	23/2/5/26015	Continued violation of our airspace by aircraft, and bombing of targets near the Dukan dam and in other areas
6	11 October	7/3/4/1/16484	Bombing by eight aircraft of targets in three villages inside our territory
7	24 October	23/2/5/26046	Bombing by aircraft of villages inside our territory

2. 1992

No.	Date	No.	Reason
1	3 March	7/3/4/1/66150	Violation of our territory by aircraft
2	10 March	7/3/4/1/66169	Air raid by the Air Force on targets inside our territory
3	16 March	7/3/4/1/66198	Air raid by the Air Force on targets inside our territory
4	26 March	7/3/4/1/66236	Air raid by the Air Force on targets inside our territory
5	22 April	23/2/5/126064	Aerial bombardment of the Khatuk and Suraji areas
6	11 May	23/2/5/126073	Attacks on our territory to a depth of 5 kilometres
7	2 June	23/2/5/126082	Air raid on the villages of Duri and Barwari
8	7 June	23/2/5/126087	Air raid on the villages of Khwakark, Birkaman, Lulan and Daraw
9	30 June	23/2/5/126104	Air raids on a number of villages inside our territory
10	19 July	23/2/5/126114	Air raids on a number of villages inside our territory

3. 1993

No.	Date	No.	Reason
1	15 April	23/2/5/22	Statement by President Demirel after meeting with the lackey Talabani to the effect that Talabani and Barzani were protecting the border area and that the lackey Barzani had requested assistance in order to bring electric power generators into service
2	21 April	23/2/5/27	Visit to northern Iraq of an official Turkish delegation representing the Government that was led by an official of the Ministry of Foreign Affairs and included representatives of the ministries of health, agriculture and industry

3	12 June	23/2/5/70	Visit to northern Iraq by a group of Western diplomats (from the United States, the United Kingdom and Australia) accompanied by a Turkish diplomat
4	23 June	23/2/79	Entry into our territory of ground forces assisted by aircraft
5	14 September	23/2/5/155	Visit to northern Iraq by an assistant to the Minister of State for Foreign Affairs on the pretext of providing humanitarian assistance
6	6 October	23/2/178	Artillery bombardment of parts of the city of Zakho
7	12 October	23/2/8/181	Artillery bombardmant of several villages inside our territory
8	22 November	23/2/8/212	Entry of a force 15 kilometres inside our territory
9	11 December	23/2/8/226	Aerial bombardment of border villages inside our territory
10	19 December	23/2/8/235	Aerial bombardment of villages inside our territory
11	27 December	23/2/8/245	Aerial bombardment of villages inside our territory

4. 1994

No.	Date	No.	Reason
1	4 January	23/2/8/126003	Aerial bombardment of areas in Dohuk Governorate
2	26 January	23/2/8/126029	Entry of a force into Iraqi territory in Dohuk Governorate
3	28 January	23/2/8/126036	Entry of a force into Iraqi territory at Qal'at Dizah
4	8 February	23/2/8/126051	Bombardment of the villages of Mizi and Darri in the Iraqi-Turkish border strip area
5	30 March	23/2/8/1260126	Aerial bombardment of areas in Dohuk Governorate
6	23 April	23/2/8/126130	Violations of Iraqi territorey in Dohuk Governorate by ground forces and aircraft
7	7 May	23/2/8/126143	Aerial bombardment of Zakho, Amadiyah, Raniyah and other areas
8	26 May	23/2/8/126166	Aerial bombardment of an area to the east of Qal'at Dizah in Irbil Governorate
9	21 July	23/2/8/126238	Artillery bombardment of the Zakho district, and aerial bombardment of the Kani Masi area and of areas to the north-east of Amadiyah
10	11 August	23/2/8/126270	Aerial bombardment of areas to the north-east of Amadiyah
11	13 August	23/2/8/126273	Aerial bombardment of areas to the north of Amadiyah
12	21 August	23/2/8/126282	Aerial bombardment of the Sayyid Kan district of Irbil Governorate
13	27 August	23/2/8/126291	Aerial bombardment of the Dukan district
14	29 August	23/2/8/126309	Aerial activity
15	13 September	23/2/8/126325	Aerial bombardment of the Zakho district
16	17 September	23/2/8/126331	Artillery and aerial bombardment of the area to the north of Amadiyah
17	22 September	23/2/8/126346	Aerial bombardment of the Zakho district
18	27 September	23/2/8/126355	Artillery and aerial bombardment of Amadiyah and Zakho
19	29 September	23/2/8/126362	Aerial bombardment of the Zakho area

No.	Date	No.	Reason
20	10 October	23/2/8/126368	Entry of a two-brigade force into Iraqi territory, and aerial bombardmant of Amadiyah
21	12 October	23/2/8/126370	Aerial activity
22	12 October	23/2/8/126373	Aerial bombardment of Zakho
23	13 October	23/2/8/126374	Aerial bombardment of Zakho and Amadiyah
24	23 October	-	Military operations in the Harkuk area until 10 November
25	31 October	23/2/8/126385	Artillery and aerial bombardment of the Zakho district
26	29 December	23/2/8/126445	Aerial bombardment of Amadiyah

5. 1995

No.	Date	No.	Reason
1	3 January	23/2/8/126002	Aerial bombardment of the Zakho district and parts of the Sandiyah area
2	2 February	23/2/6/126031	Aerial bombardment of villages to the north and north-east of Zakho
3	21 March	-	Military operations more than 24 kilometres inside Iraqi territory

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UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1995/255
31 March 1995

ORIGINAL: ENGLISH

LETTER DATED 31 MARCH 1995 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit the attached report, which was addressed to me on 30 March 1995 by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, concerning the operations of the International Conference's Mission to the Federal Republic of Yugoslavia (Serbia and Montenegro). This report by the Co-Chairmen contains the certification referred to in paragraph 5 of Security Council resolution 970 (1995) of 12 January 1995.

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

95-09498 (E) 030495 040495

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Annex

Operations of the International Conference on the Former Yugoslavia Mission to the Federal Republic of Yugoslavia (Serbia and Montenegro)

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 5 of Security Council resolution 970 (1995), adopted on 12 January 1995. In that resolution, the Security Council requested that the Secretary-General submit every 30 days for its review a report from the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia on the border closure measures taken by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro).

2. It will be recalled that on 4 August 1994 the following measures were ordered by the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) to come into effect the same day:

(a) "To break off political and economic relations with the 'Republika Srpska';

(b) "To prohibit the stay of the members of the leadership of the 'Republika Srpska' (Parliament, Presidency and Government) in the territory of the Federal Republic of Yugoslavia;

(c) "As of today the border of the Federal Republic of Yugoslavia is closed for all transport towards the 'Republika Srpska', except food, clothing and medicine."

3. On 19 September, 3 October, 2 November and 5 December 1994 and 5 January, 3 February and 2 March 1995, the Secretary-General transmitted to the Security Council reports from the Co-Chairmen of the Steering Committee of the International Conference on the state of implementation of the above-mentioned measures (S/1994/1074; S/1994/1124; S/1994/1246; S/1994/1372; S/1995/6; S/1995/104 and S/1995/175). The report dated 2 March 1995 contained the following certification from the Co-Chairmen:

"In the light of the foregoing developments during the past 30 days, based on the Mission's on-site observation, on the advice of the Mission Coordinator, Mr. T. J. Nieminen, and in the absence of any contrary information from the air, whether the airborne reconnaissance system of the North Atlantic Treaty Organization (NATO) or national technical means, the Co-Chairmen conclude that the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) is continuing to meet its commitment to close the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the areas of the Republic of Bosnia and Herzegovina under the control of the Bosnian Serb forces. The Co-Chairmen also conclude that during the past 30 days no transshipments were detected by the Mission

across the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina."

4. Developments in the past 30 days are dealt with below. Developments in the remainder of the 100-day period will be covered in a follow-up report.

II. LEGISLATION/REGULATIONS ON THE BORDER CLOSURE

5. The legislation of the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) closing the border with the Bosnian Serbs continues to be in force.

6. On 27 March 1995 the Mission Coordinator signed a memorandum of understanding with the Director of Customs of the Federal Republic of Yugoslavia (Serbia and Montenegro), Mr. M. Kertes, to improve control and provide firmer assurances on supplies of humanitarian aid through the Yugoslav Red Cross. In the opinion of the Mission Coordinator, the improvements in control are significant and substantial. With the Yugoslav Red Cross exclusively determining the destination of the goods to limited agencies in the "Republika Srpska", any commercial link that might have existed in the past between supplier and recipient will be much more difficult to sustain. More importantly, the stricter inspection at loading should ensure that no contraband, including war matériel, is concealed in the consignments. These inspection arrangements are now more or less on a par with those applying to the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC).

7. The Mission has received from the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) the following analysis of confiscations along the border with the Republic of Bosnia and Herzegovina for February 1995:

Petrol (gasoline)	12.4 tons
Diesel	13.2 tons
Cigarettes	1.3 tons
Construction material	648 kilograms
Alcohol	2,208 litres
Food items	389 kilograms
Textiles, clothing, footwear	576 kilograms
Fertilizer	19.0 tons
Coffee	110 kilograms
Other goods	1.2 tons
Vehicles	2

For the first time, confiscations of fertilizer have been included in the information provided by the authorities for the month of February.

8. During the month of February, there were 215 customs offence procedures initiated and 41 were finalized. Fines and penalties amounted to 127,300 dinars. During the previous six months, from 4 August 1994 to 31 January 1995, 138 offence procedures were initiated, of which 71 were

finalized. Fines and penalties during this six-month period amounted to 341,450 dinars. These figures give some indication of the sharply increased number of interceptions of smuggling attempts and confiscations. In the opinion of the Mission Coordinator this reflects a tightened degree of control on the border to Bosnia and Herzegovina by the customs authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) during the last month.

III. ORGANIZATION, FINANCING AND WORK OF THE MISSION

9. As of 1 April 1995, 163 international Mission personnel will be on duty with the Mission. The Mission personnel to date have come from the following countries: Belgium, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Netherlands, Norway, Portugal, Russian Federation, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America. Because of financial difficulties, no new observers are being taken on to replace those who leave. The number of observers will continue to fall until the minimal threshold of 150 is reached or until such time as the current financial constraints are eased. By the Mission's own calculations, an observer complement below 150 may not be able to provide sufficiently credible information to certify whether the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) is in compliance with its decision to close its border with Bosnian Serb-held areas of Bosnia and Herzegovina to all but shipments of humanitarian aid.

10. A new six-month budget for the Mission commencing 1 April was drafted after the 10 March meeting of the Steering Committee. This US$ 3.66 million budget would, if fulfilled, bring the complement of international observers to 250. An appeal was made to countries members of the Steering Committee to pay their contributions before the end of March to forestall the possible closure of the Mission. The Mission Coordinator personally made this point to embassies in Belgrade during an information briefing on 15 March.

11. The Mission has reacted swiftly to the new fiscal reality presented by the funding crisis by reducing operating costs by 136,000 deutsche mark per month over January costs. Vehicle and office space rental charges have been reduced, and telecommunications expenditures have been cut significantly. As an example of measures undertaken, over the course of the last month the Mission has been able to terminate most of its reliance on hired cars and it is now operating and servicing its own smaller fleet of vehicles. While expenses continue to be reviewed in detail by the Mission, the magnitude of savings that will be generated by future cutbacks is not significant in relation to the overall, persistent problem of inadequate funding.

12. The ferry at Jamena has not been operating since mid-January, and was taken out of the water on the "Republika Srpska" side of the river on 1 February. The high-water level of the Sava River has hindered the effective blockade of the ferry ramp on the Serbian side. On 2 March a second barrier was completed on the ramp and sealed by Mission personnel. This enabled the Mission to close the border crossing-point on 4 March and change its status to a controlled crossing-point. The area will be patrolled by Mission mobile patrols, while it will be

controlled by the police of the Federal Republic of Yugoslavia (Serbia and Montenegro).

13. In order to reduce personnel requirements, the border crossing-point at Raca (Sector Bravo) was closed on 23 March. The crossing-point is a bridge behind the FAP Factory near Priboj. The bridge is sealed by a barrier and will be patrolled by Mission mobile patrols while it will be controlled by the police of the Federal Republic of Yugoslavia (Serbia and Montenegro).

14. The Mission is now covering 19 border crossings 24 hours a day. Of those, two are train stations. There are no other major changes to the list of border crossings between the Federal Republic of Yugoslavia (Serbia and Montenegro) provided as appendix III to the previous report (S/1995/175). In order to staff all remaining border crossings fully, the Mission has been forced to curtail much of its mobile patrolling on the border.

IV. FREEDOM OF MOVEMENT OF THE MISSION

15. The Mission continues to enjoy full freedom of movement within the Federal Republic of Yugoslavia (Serbia and Montenegro).

16. On 14 March, a shooting incident occurred at Krstac (Sector Charlie) where individuals crossing the border from the "Republika Srpska" and the police of the Federal Republic of Yugoslavia (Serbia and Montenegro) were engaged in an extended shoot-out close to the border crossing-point. Mission personnel, protected by the police, had to withdraw and continue their observation from a safe place. On 15 March, the situation was considered to have calmed down and the team returned to the border crossing-point. The Chief of the Montenegrin Cabinet called the Mission Coordinator on 17 March to apologize for the fact that the safety of the Mission personnel had been jeopardized by the incident.

17. Between 16 and 18 March, the situation at the Metaljka and Sastavci border crossing-points (Sector Bravo) became tense when some local civilians, while being thoroughly checked by Customs, threatened Mission personnel. Police chiefs and liaison officers of the army of the Federal Republic of Yugoslavia (Serbia and Montenegro) on the scene expressed their concern and asked Mission personnel not to leave the border crossing-points without police escort. Excellent cooperation with the police and the army should be noted in this case. Tension eased on 20 March.

18. On 17 March, Mission personnel at Nudo (Sector Charlie) were threatened by a local drunk civilian. Customs and police response was inadequate and was reported to higher authority for corrective action. On 20 March, in Kotor (Sector Charlie), off-duty personnel were subjected to verbal assaults from a local drunk civilian. The matter was reported to the police, who initiated an investigation, the results of which are pending.

19. On 22 March, a Mission team in Belgrade port was threatened by a local citizen who forced the team's car door open and threatened to use a gun. The team decided to withdraw instantly, until the security of Mission personnel could be ensured. Immediate contacts were made by the Mission Coordinator with

Mr. Kertes, who promised to restore security at once. On 23 March, the team returned to Belgrade port, where the police and local security were present and the situation was restored to normal.

20. Since 25 March, as hostilities resumed in Bosnia and Herzegovina, Mission personnel at Trbusnica and Mali Zvornik (Sector Alpha) and Metaljka and Sula (Sector Bravo) have reported periodically hearing heavy shelling from the Bosnian side of the border. They also heard and observed increased air activity - both helicopter and fixed-wing - on the Bosnian side of the border. The situation is being closely monitored by Mission headquarters.

21. In the early morning of 26 March, two off-duty Mission personnel were physically assaulted in Banja Koviljaca (Sector Alpha) by four drunk local citizens. One of them sustained minor injuries and has now returned to duty. The report was forwarded to the police. One of the perpetrators has been already apprehended.

V. COOPERATION OF THE AUTHORITIES OF THE FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO) WITH THE MISSION

22. The cooperation with the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) continues to be good.

VI. INFORMATION RECEIVED FROM NATIONAL AND OTHER SOURCES

23. The operating principle of the Mission is to base itself on its own observations and on information that it has verified. The Mission Coordinator has maintained a standing request to Governments possessing the technical capacity to provide it with information relevant to its mandate.

24. With reference to the last monthly report concerning an alleged underwater oil pipeline across the Drina river, the search was continued. The only remotely relevant report on the issue was submitted from Sector Alpha on 26 March, where a mobile patrol team discovered remnants of an old pipeline on the beach, near Citluk (CQ 545055). It extended from the water with an open end, corroded and rusted, with no trace of recent use.

25. Another information report was received on 16 March alleging that:

(a) A temporary bridge was set up near Jagustica on the Drina on 17 February 1995 and has been used since then to transport material to the Bosnian Serb Army. Mission mobile and foot patrols proceeded to the area and found that the course of the river there was about 200 metres below a steep cliff, and no bridge was found. The Mission assessment is that, taking into consideration the nature of the terrain and the location of the area (just opposite the Muslim "Zepa pocket" on the other side of the river), it appears very unlikely that there could be continuous shipping of goods across this part of the Drina;

(b) Military matériel has been passing through four border crossing-points after they close for the day. The Mission assessment is that all four border crossing-points are under observation by Mission personnel 24 hours a day, every day. Therefore it is extremely unlikely that something might pass through the boundary without the Mission's knowledge.

VII. PROBLEMS ENCOUNTERED AND REPRESENTATIONS MADE TO THE AUTHORITIES

26. On 28 February, a Mission mobile patrol conducted a day survey from Badovinci north to the Sava River. In the process they discovered a smuggling operation in progress 4 kilometres north of Badovinci. The liaison officers of the army of the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Serbian Special police were present and confiscated one metal boat, a BMW car and seven 225-litre drums of fuel.

27. The impact of delays caused by thorough Customs searches is reflected in an incident that happened at Badovinci (Sector Alpha) on 7 March. Local farmers established a blockade with their tractors on the cross-border road in protest at farm vehicles not being given priority to cross. Additional militia and the army of the Federal Republic of Yugoslavia (Serbia and Montenegro) were summoned, though it appeared that everyone involved in the protest remained on amicable terms. The next day a meeting was held between the Head of Sector and local authorities and the problem was solved by giving the farmers with tractors priority in crossing the border during the early hours of the morning.

28. During some periods in March, the performance of the customs officers at the four border crossing-points in Sector Alpha declined noticeably. On the surface, it appeared that the checking level of buses was maintained and that there were numerous denials of vehicles. Under the surface, however, it appeared that confiscations had dropped substantially, that the thorough searches of vehicles were not up to the previous standards and that a more relaxed attitude was taken generally about allowing significant excess quantities through the border. The Mission Coordinator met the Director of Customs of the Federal Republic of Yugoslavia (Serbia and Montenegro) on 27 March to discuss the situation. The Director of Customs had already given very strict instructions to the customs personnel on the ground. He also indicated several personnel changes, i.e. dismissals of customs officers who were "too relaxed in their performance". In all other sectors, the Mission Coordinator confirms good cooperation, good standards of performance and very good work generally by customs.

29. On 13 March, it was reported from Badovinci that two buses with unarmed but uniformed soldiers were allowed to cross into Bosnia and Herzegovina. The Mission Coordinator lodged a formal, high-level protest concerning this matter the following day. Senior authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) promised to take immediate action, and similar incidents have not been reported since.

30. There have been some attempts in Sector Charlie, particularly in the Vracenovici-Crkvice area, to dismantle the barriers that are blocking the tracks

in the border areas with Bosnia and Herzegovina. The police, together with military personnel, have been rebuilding and reinforcing barriers in the area. The Special Envoy of the Mission Coordinator has had discussion with the Second Army Headquarters of the Federal Republic of Yugoslavia (Serbia and Montenegro) to ensure that a correct up-to-date barrier plan is in place. It has been agreed that a greater degree of delegation of responsibility for minor adjustments to the barrier plan needs to be made and that contacts at working level should be between the Head of Sector Charlie and the Liaison Officer of the army of the Federal Republic of Yugoslavia (Serbia and Montenegro). On 20 March, two barriers in this area were partially dismantled and traces of trucks were visible. On 22 March, a Mission mobile patrol found fresh traces of trucks around the restored barriers. On 24 March, a mobile patrol spotted a smuggling attempt from the Bosnia and Herzegovina side (two trucks with timber). The would-be smugglers had to withdraw to Bosnia and Herzegovina. On 26 March, mobile patrols once again discovered traces of smuggling activity - spills of fuel and truck traces around bypasses. A liaison officer of the army of the Federal Republic of Yugoslavia (Serbia and Montenegro) claimed that the army did not have enough manpower to cover all bypasses.

31. Bold smuggling attempts are still taking place on the Vilusi and Vracenovici bypasses (Sector Charlie), where the barriers were partially dismantled on 13 March. This problem was solved at the local level by agreement between the army, the police and the Mission. On 15 March the barriers were restored and reinforced. The areas are now also being patrolled frequently by the army and police. The result so far is that two attempts to smuggle fuel across the border have been uncovered.

32. Another possible breach has been detected by the local customs in Belgrade, when they screened (X-ray) 50 per cent of a postal shipment on 11 March and refused a large proportion of the packages, which they considered to be trade.

33. During the period from 13 to 19 March, traffic volumes at all border crossing-points between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the "Republika Srpska" were recorded. Below are the Mission's main findings and observations:

(a) A daily average of 28,850 persons crossed the border at the border crossing-points in both directions during the week, either on foot or in vehicles. The busiest border crossing-points, accounting for more than half of the total traffic volume were Sremska Raca (A02) in Sector Belgrade and Badovinci (A04) and Trbusnica (A06), both in Sector Alpha;

(b) At Sremska Raca, the average daily traffic across the border in both directions was 6,832 persons travelling in 1,113 cars, 167 buses, 167 trucks and 16 tractors or walking. In Badovinci the number of persons crossing averaged 4,697 persons either on foot, or in one of the 1,822 cars, 32 buses and 488 tractors crossing. At Trbusnica, the average number of persons crossing in both directions was 4,345 persons in 1,745 cars, 23 buses and 131 tractors or on foot;

(c) At the remaining 16 border crossing-points average daily traffic flow ranged from a low of 38 persons, 13 cars, 1 bus and 2 tractors at border

crossing-point Sula (B19) in Sector Bravo to 3,655 persons in 1,345 cars, 37 buses, 8 trucks and 75 tractors in Mali Zvornik (A09) in Sector Alpha. The Mali Zvornik foot bridge (A10) was used by an average of 3,360 pedestrians crossing the border in both directions on a daily basis;

(d) At the train stations in Proboj and Uzice a daily average of 183 railway cars was sealed and 9 trains crossed the border in both directions;

(e) During the period from 1 to 26 March 1995, Sector Belgrade sealed 1,643 trucks and trailers with a total volume of 22,622 tons of humanitarian aid. During the same period, Sector Charlie also sealed 221 trucks carrying 198 tons of humanitarian aid. Trucks are permitted to cross the border into "Republika Srpska" only at Sremska Raca in Sector Belgrade and Vilusi in Sector Charlie, with occasional UNHCR convoys allowed at Mali Zvornik in Sector Alpha and Kotroman in Sector Bajina Basta. Trucks are subject to normal customs checks at the border crossing-point when leaving the Federal Republic of Yugoslavia (Serbia and Montenegro) and are not allowed to carry fuel in belly tanks. During the period from 1 to 26 March, 108 trucks were denied crossing to "Republika Srpska" for extra fuel or minor customs violations;

(f) Also during the same period, customs reached an overall thorough checking level of 21 per cent on unscheduled long-distance buses entering "Republika Srpska" with 368 of 1,768 buses being fully checked and the remaining being controlled with very good partial checks. In total, 101 buses were denied crossing, mainly for carrying excess amount of commercial goods, including fuel, and 1,858 cars and 299 tractors were denied for similar reasons.

34. In March, United Nations airfield monitors working at civilian radar screens at Surcin Airport near Belgrade observed 26 tracks of likely helicopter flights moving from Bosnia and Herzegovina into the Federal Republic of Yugoslavia (Serbia and Montenegro). While none was observed by Mission personnel from the ground, these clearly constituted border violations. Officers of the Federal Republic of Yugoslavia (Serbia and Montenegro) continued to deny their existence or origin even in the face of comprehensive, credible technical information. There are no reports of those helicopters travelling from the Federal Republic of Yugoslavia (Serbia and Montenegro) back into Bosnia and Herzegovina. Therefore, for the airspace above the border, the Federal Republic of Yugoslavia (Serbia and Montenegro) is not closing its border with Bosnia. This is particularly perplexing inasmuch as the efforts of the Federal Republic of Yugoslavia (Serbia and Montenegro) to enhance its closure of the land border during March and in keeping with its commitment have been broadly effective. The Mission will be looking once again at whether anything can be done to enhance the information available on border crossings by air.

VIII. CERTIFICATION

35. In light of the foregoing developments during the past 30 days, based on the Mission's on-site observation, and based on the advice of the Mission Coordinator, Mr. T. J. Nieminen, and in the absence of any contrary information from the air, whether the airborne reconnaissance system of the North Atlantic Treaty Organization (NATO) or national technical means, and aside from the

reported tracking of helicopters crossing the border, the Co-Chairmen conclude that the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) is continuing to meet its commitment to close the land border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the areas of the Republic of Bosnia and Herzegovina under the control of the Bosnian Serb forces. The Co-Chairmen also conclude that during the past 30 days there were no commercial transshipments across the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina.

36. The Co-Chairmen will provide an additional report before the expiration of the 100-day period.